From: jde@nextgig.com@inetgw
Date: 1/23/02 10:57am

Message-ID: <3C4F082D.132DEB46@nextgig.com>
Date: Wed, 23 Jan 2002 10:59:57 -0800
From: Jeff Evarts <jde@nextgig.com>
X-Mailer: Mozilla 4.76 [en] (Windows NT 5.0; U)
X-Accept-Language: en
MIME-Version: 1.0
To: microsoft.atr@usdoj.gov
Subject: Microsoft Settlement
Content-Type: text/plain; charset=us-ascii
Content-Transfer-Encoding: 7bit

I would like to comment on the potential resolutions to the Microsoft situation.

I am familiar with the marketing practices of Microsoft, and belive that
there are two reasonable ways to dispense with this monopoly:

1) An open formats solution

        *) Force Microsoft to document (openly, or for a reasonable fee)
           the complete input, output, and/or file formats of all its
           individually salable components. This would include, but not be
           limited to:

                *) File formats such as .doc, .xls,
                *) APIs such as their device driver API
                *) Wire formats such as file sharing protocols, etc.

        Other companies do this, and the public is the better for it.
        Other companies do this and still make a profit.
        Microsoft leverages the fact that their left hand and right
        hand are synchronized, and this yields a large part of its
        power to monopolize the desktop.

        If, for instance, they fully described the format of .doc files,
        and made sure that any file of that format was readable in Word,
        and that Word created files of only that format, then people could
        migrate to and from Microsoft products AS BEST SUITS THEM. This
        would allow market forces rather than monopoly forces to dominate.

2) A vertical split of the company

        *) Force microsoft to be vertically split at the OS and Office levels.
           Give the source code for Windows/NT, Windows/ME, Windows/2000 to
           three different companies, and allow no one to hold positions on
           more than one BoD, etc.

The competition between the three OS firms for the Office business, as well as vice versa, would (hopefully) yield more opportunities for the non-MS alternatives.

I believe the first one is a far better solution than the second, but the second would be acceptable.

The current proposed solutions are weak, in that they attempt to fix the problem with long-term enforcement, rather than changing the rules today so that the market solves the problem later.

Microsoft's solution: giving lots of Software and Hardware to Schools, is laughable. It would increase their market share and mindshare without actually hurting the company or reshaping it in any significant way.

I strongly urge that this opportunity to fix the monopolistic practices of Microsoft be taken seriously, as subsequent attempts will be at a great disadvantage if this fails.

-Jeff